

REMARKS

The Examiner has rejected Claims 1-7 under 35 USC 112, first paragraph, as failing to comply with the written description requirement. The Examiner argues that "(t)he claimed invention is directed to a method for treating glaucoma using the compounds having R as substituted heteroaryl radical. In the absence of understanding if any compounds with any heteroaryl substituents can be used for the treatment of glaucoma, the artisan would not have accepted that applicant was in possession of the invention."

As as the claims are now limited to specific substituents on the heteroaryl radical, as set forth in original claim 2, it should be pointed out that the claims, as now amended clearly meets the written description requirement. That is the Examiner was incorrect in rejecting claim 2 for the following reasons:

The two elements of the compound that is utilized in the method of the present invention are (1) a heteroaryl radical and (2) a specifically defined substituent. The substituents are clearly limited to a specific class of radicals, i.e. halogen (4 members), C₁ to C₆ alkyl, CF₃, COR₁ and SO₂NR₁ (wherein R₁ is limited to hydrogen and C₁ to C₆ alkyl), NO₂ and CN. Surely, the practitioner will know which substituents are included in this class and understand the scope of the substituents claimed in the compounds utilized in the method of the invention. As to "heteroaryl", these moieties are defined in IUPAC Compendium of Chemical Terminology, 2nd Edition (1997) which is attached hereto as a reference.

Thus, the term "substituted heteroaryl" is clear to the practitioner of the Chemical Sciences.

Docket No. 17120FWCCON6 (AP) 7
Serial No. 10/621,195

The Examiner is requested to withdraw her rejection and pass the amended claims to issue.

Please use Deposit Account 01-0885 for fees related to this submission.

Respectfully submitted,

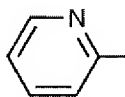
/Robert J. Baran/

Date: December 6, 2006

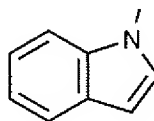
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heteroaryl groups

The class of *heterocyclyl groups* derived from *heteroarenes* by removal of a hydrogen atom from any ring atom; an alternative term is hetaryl. E.g.



2-pyridyl (pyridin-2-yl)



indol-1-yl

1995, 67, 1340